

ATTACHMENT D

WENDEROTH, LIND & PONACK, L.L.P.
1030 15TH Street, N.W., Suite 400 East
Washington, D.C. 20005-1503

Telephone: (202)721-8200
Facsimile: (202)721-8250

FAX TRANSMISSION COVER SHEET

To: Accounting Division Refund Branch
Company Name: United States Patent and Trademark Office
Fax Number: 1-571-273-6500
From: Carol L. Husband, Senior Accounting Manager
Date: November 5, 2010
Re: Serial No. 10/593,461

TOTAL NUMBER OF PAGES TRANSMITTED, INCLUDING COVER SHEET 3

Message:

Attached please find a copy of a Request for Refund which was faxed to you on September 29, 2009. Also attached is proof of the successful fax transmission.

Please accept this faxed copy as of the original date of September 29, 2009. Your prompt consideration is requested.

Sincerely,



Carol L. Husband
Senior Accounting Manager

CONFIDENTIALITY

The documents transmitted herewith contain confidential and/or privileged information intended only for the use of the person or entity to whom addressed. If you are not the intended recipient, or an agent of the recipient responsible for delivering it to the intended recipient, then you have received this transmission in error and are asked to promptly advise us by telephone or fax, and return the document to us by mail. Unauthorized copying, distribution, disclosure or other use of this information by anyone other than the intended recipient or their designee is prohibited.

IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION
OR IF YOU HAVE NOT RECEIVED ALL OF THE PAGES
PLEASE CALL (202) 721-8248

Fax Operator: Carol Husband

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Via Facsimile to (571) 273-6500
ACCOUNTING DIVISION REFUND BRANCH

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants' attorney has been informed that his PTO Deposit Account (No. 23-0975) was charged an amount of \$1,050.00 for a three month extension of time on April 30, 2009. Applicants' attorney respectfully submits that this charge was improper.

An Office Action was mailed December 3, 2008 in Serial No. 10/593,461. On May 4, 2009 (after filing a Request for New Office Action and Resetting Date for Response on April 8, 2009), Applicants filed an amendment in response to the Office Action of December 3, 2008, together with a petition for a two month extension of time, including the PTO fee of \$490. There was thus no valid reason for charging a three month extension of time to Applicants' attorney's Deposit Account. The response to the Office Action of December 3, 2008 was timely filed on May 4, 2009 with a two month extension of time. Applicants' attorney notes that May 4, 2009 is a Monday, and therefore, filing the response and extension on this date was timely.

Under these circumstances, Applicants' attorney request that the amount of \$1,050 be refunded to his Deposit Account (No. 23-0975).

If there are any questions regarding this matter, please contact Donna Reynolds, Accounting Assistant, at (202) 721-8246. We appreciate your kind assistance.

Respectfully submitted,

Peter HEROLD et al.

By



Michael R. Davis
Registration No. 25,134
for Applicants

MRD/pth
Washington, D.C. 20005-1503
Telephone (202) 721-8200
Facsimile (202) 721-8250
September 29, 2009

2006_1381A

-- MIK4AC232D9F479

4:16 PM 9/29/2009 Transmission Record

Sent to: PTH 2006 1381A

Phone: 5712736500

Billing information: '', ''

Remote ID: USPTO

Unique ID: "MIK4AC232D9F479"

Elapsed time: 0 minutes, 24 seconds.

Used channel 1.

No ANI data.

No AOC data.

Resulting status code (0/339; 0/0): Success

Pages sent: 1 - 1